

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DEEPTHI WARRIER EDAKUNNI, et al.,

Plaintiff(s),

v.

ALEJANDRO MAYORKAS, Secretary of
the Department of Homeland Security,

Defendant(s).

CASE NO. 2:21-cv-00393-TL

ORDER GRANTING LEAVE TO
FILE THIRD AMENDED
COMPLAINT

This matter comes before the Court on Plaintiffs' motion to file a third amended complaint (Dkt. No. 84). Defendant does not oppose this amendment. Dkt. No. 85.

There is also a pending motion to file a proposed second amended complaint (Dkt. No. 60). The most recent amendment supersedes the earlier-filed proposed complaint. *See Rhodes v. Robinson*, 621 F.3d 1002, 1005 (9th Cir. 2010) (explaining that the filing of a second amended complaint renders the original complaint "non-existent"); *accord Ferdick v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir. 1992), *cert. denied*, 506 U.S. 915 (1992), ("after amendment the original

pleading no longer performs any function and is treated thereafter as non-existent”) (internal citation and quotation omitted).

Accordingly, the Court:

1. GRANTS Plaintiffs' Motion for Leave to File Third Amended Complaint (Dkt. No. 84); and
2. STRIKES as moot Plaintiffs' Motion for Leave to File Second Amended Complaint (Dkt. No. 60).

Dated this 1st day of July 2022.



Tana Lin
United States District Judge